

COMMISSION MEETING MINUTES

Indiana Fire Prevention and Building Safety Commission

Government Center South
402 West Washington Street
Indianapolis, Indiana 46204
Conference Room B

July 1, 2008

1. Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman David Hannum at 9:02 a.m. July 1, 2008.

- (a) Commissioners were present at the Commission meeting:

Diana M. H. Brenner

Michael Christoffersen

Michael Corey

Howard W. Cundiff, Vice-Chairman, representing the Commissioner, Department of Health

Kevin Goeden, representing the Commissioner, Department of Labor

David Hannum, Chairman

John Hawkins

M. Burke Jones

Ted Ogle

James Ridley

- (b) The following departmental and support staff were present during the meeting:

Agency Support Services, Legal and Code Services

Mara Snyder, Director, Legal and Code Services

William Teegarden, Executive Administrative Law Judge

John Haines, Code Specialist

John Hibner, Code Specialist

Bob Robinson, Code Specialist

Beth Sutor, Secretary

2. **Old Business.**

Chairman Hannum called for any corrections or a motion to approve the minutes of the June 3, 2008 meeting as distributed. Commissioner Brenner noted that there had been one nay vote cast on item 34. No other corrections were noted. A motion to approve the minutes as corrected was made by Commissioner Ogle and seconded by Commissioner Jones. It was voted upon and carried.

3. **Ordinances.**

Shelly Wakefield, Director, Fire and Building Code Enforcement, introduced the Building Code Ordinance No. 7-2008 of Lawrenceburg, Indiana, recommending approval. Commissioner Christoffersen moved to approve with the second by Commissioner Jones. It was voted upon and carried.

4. **Variances.**

Tabled Variances.

Variance 08-05-57(b) J.W. Marriott Hotel Complex, Indianapolis, was presented by Ralph Gerdes, Ralph Gerdes Consultants. He distributed an outline of his presentation which contained studies showing that smoke will spread despite elevator lobby vestibules unless you have pressurization of elevator shafts. This building will not be pressurized. They feel that in a fire event, the elevator doors will remain open on the first floor and you lose the pressurization. The owners of the Marriott have smoke removal systems for public rooms and smoke removal systems for corridors on guest room floors which they require to be installed in their building, and their required sprinkler systems exceed NFPA requirements. With Commissioner Brenner abstaining, Commissioner Christoffersen moved to approve with the second by Commissioner Cundiff. It was voted upon and carried. A suggestion that the code be amended to allow this was made by Commissioner Hawkins, supported by other members of the Commission. Variance 08-06-5, Chemical Storage Area Redesign of Seymour Tubing, Seymour, was presented by Christopher Bishop of ATC Associates. It was noted that in an email to Mara Snyder, Fire Chief Fred Hines, Seymour Fire Department, had no problems with the variance and "did not see where the mingling of materials would be an issue". Revised plans were distributed to the Commission members to help visualize the space. After discussion, Commissioner Ogle moved to approve with the second by Commissioner Ridley. It was voted upon and carried. Variance 08-06-9 Outokumpu Warehouse, New Castle, was represented by Ralph Gerdes, Ralph Gerdes Consultants. He reported that discussions with the owners of the adjacent property were being held, but that no agreements had yet been reached. He also reported that the wall facing the property line was 40 feet tall, but unlikely to present a hazard due to the construction type. After discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Hawkins. It was voted upon and carried. Variance 08-06-11(e) Children's Museum of Indianapolis New Intermodal Facility, Indianapolis, was represented by Christina Collester, RTM Consultants. A new entry to provide better access is being built and will require the temporary closing of exits during construction. Special events will have specific exiting preplanned and temporary exiting signs will be provided for each event. Construction will begin in August or September and should be completed in fourteen months. After discussion, Commissioner Ridley moved to approve with the second by Commissioner Jones. It was voted upon and carried. Variance 08-06-14(a)(b), Ball State University North Residence Hall, Muncie, was tabled at the request of the proponent. Commissioner Ogle made the motion with the second by Commissioner Jones. It was voted upon and carried. Variance 08-06-42 Davis Renovation, Lawrenceburg, was withdrawn by the proponent.

Regular Variances.

Of the "A" and "B" variances, variance #08-07-15, Victoria's Secrets at Circle Centre Mall, Indianapolis, #08-07-28, Indiana Live Casino, Shelbyville, and 08-07-44, Children's Museum of Indianapolis New Intermodal Facility, Indianapolis, were called out for individual consideration. Commissioner Jones made the motion to approve the following variances with an "A" or "B" review rating by staff, with the second being made by Commissioner Cundiff. It was voted upon and carried.

The following variances were approved as submitted:

- (1) 08-07-1 Target Store at Glendale Mall, Indianapolis
- (2) 08-07-3(a)(c) Hilton Garden Inn, Indianapolis
- (3) 08-07-5(a)(b) Highland Christian School Addition, Highland
- (4) 08-07-6 Hands On Premium Car Wash, St. John

- (5) 08-07-7 Pizza Hut Wingstreet Program, Valparaiso
- (6) 08-07-8 Pizza Hut Wingstreet Program, Lowell
- (7) 08-07-9 Pizza Hut Wingstreet Program, Hobart
- (8) 08-07-10 Pizza Hut Wingstreet Program, Munster
- (9) 08-07-11 Pizza Hut Wingstreet Program, Schererville
- (10) 08-07-12 Reasner Self Storage, Greenfield
- (11) 08-07-16 The Fresh Market #92, Indianapolis
- (12) 08-07-21(a)(b) White River Elementary School Proposed Soccer Fields, Noblesville
- (13) 08-07-23(a) Vance & Hines II, Brownsburg
- (14) 08-07-27 Park 267 Building 2, Whitestown
- (15) 08-07-31 River Birch Elementary School, Avon
- (16) 08-07-32 Napoleon State Bank, Greensburg
- (17) 08-07-34 Tree City Estates, Greensburg
- (18) 08-07-35 Edward Estates, Ft. Wayne
- (19) 08-07-36 Katelynn Place, Portland
- (20) 08-07-39 Cooper Tire Distribution Center, Franklin
- (21) 08-07-42 Franklin College Chapel Renovation, Franklin
- (22) 08-07-43(b) Convention Center Connector, Indianapolis

The following variances were heard separately:

- (23) 08-07-2 Indiana Wesleyan University New Chapel/Auditorium, Marion

Doug Trent, RTM Consultants, spoke as proponent. The request was to use the auditorium sound system for the voice fire alarm system. Their engineers feel that the listed speaker components won't adequately notify the occupants of the auditorium. After discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Jones. It was voted upon and carried.

- (24) 08-07-3(b) Hilton Garden Inn, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. The request was to allow decorative construction above the roof to be made of wood. The area, with no function beyond aesthetics, will be sprinklered. After discussion, Commissioner Ogle moved to approve with the second by Commissioner Cundiff. A concern that the area may be used for storage was voiced, and the motion was amended to include a ban on any storage of any kind. It was then voted upon and carried with two nay votes.

- (25) 08-07-4 Clarian West Medical Center Emergency Dept. Inpatient Bed & Central Plant Expansion, Avon

Neal Locasto, RTM Consultants, spoke as proponent. The request was to temporarily close an exit stair during construction in the Emergency Department due to the storage of construction materials outside the exit. An alternative exit proposal had been approved by the local fire officials, and alternate route signs will be posted on exit doors to direct the public. A paper copy of the proposed signage would be

provided to Code Services. After discussion, Commissioner Brenner moved to approve. Commissioner Christoffersen made the second. It was voted upon and carried.

- (26) 08-07-13(a)(b) Boone County 4-H, Lebanon

Melissa Tupper, RTM Consultants, spoke as proponent. The request in variance (a) was to allow the building to be made of Type V-B construction, though it exceeds the area allowed for this construction type. The building will only be used during the annual fair and not for storage during the rest of the year. Variance (b) was a request to omit sprinklers. Commissioner Christoffersen moved to approve both with the condition that the building not be used for storage of motor vehicles; only non-combustible storage. Commissioner Ogle made the second. It was voted upon and carried.

- (27) 08-07-14 Putnam County Library, Greencastle

The staff review of the application indicated that no variance was required since it met the exception to Section 211.3 of the Elevator Code. Commissioner Cundiff moved no variance was required. Commissioner Ogle made the second. It was voted upon and carried. Staff was then directed by Chairman Hannum to return the fees involved to the applicant.

- (28) 08-07-15 Victoria's Secrets at Circle Centre Mall, Indianapolis

Jeff Dean, City of Indianapolis Division of Compliance, explained the application did not have the correct code section on the application. The code section requested should be for Chapter 11 - 4.28.3(6) to allow strobes installed at 127" above the floor. After discussion, Commissioner Cundiff moved to approve with the second made by Commissioner Ogle. It was voted upon and carried.

- (29) 08-07-17 Roasted Bean, Ft. Wayne

Ed Rensink, RTM Consultants, withdrew the application.

- (30) 08-07-19(a)(b) Clifty Creek Power Plant Waste Water Treatment Building, Madison

Dennis Kovach, American Electric Power, spoke as proponent. The request in variance (a) was permission to use industrial type fire sirens instead of code compliant horn/strobes which may not be heard over the industrial noise. Following discussion, Commissioner Cundiff moved to approve with the second by Commissioner Ogle. It was voted upon and carried. The request in variance (b) was to allow the industrial alarms to be tied into the plant's main system and therefore notify the plant's response team of the event and to notify Control of a break in the wiring loop when the alarm is tripped. Commissioner Christoffersen moved to approve with the second by Commissioner Cundiff. It was voted upon and carried.

- (31) 08-07-20 Clifty Creek Power Plant FGD Building, Madison

Dennis Kovach, American Electric Power, spoke as proponent. Variances received in July and January had required a 3-hour fire barrier between the F1 and F2 sections of the building. Based on a study by the group doing inspections for the Atomic Regulatory Agency, the request is to omit fireproofing on steel

on the second and third floor due to reduced fire threat. Any exposed beams or columns which directly form a part of the 3-hour fire wall would be fireproofed to match the wall assembly rating. Commissioner Hawkins, following a discussion of cable trays, made a motion to approve with the condition that the cable trays be at least five feet from structural steel. Commissioner Cundiff made the second. It was voted upon and carried

- (32) 08-07-22 NICU Renovation Methodist Hospital, Indianapolis

Neal Locasto, RTM Consultants, spoke as proponent. The request was to allow the second means of egress for the patient suites to open into an adjacent suite of rooms. The proposed suite exit arrangement is now specifically permitted in the new 2006 Life Safety Code, NFPA 101. The building has sprinklers and smoke detection throughout, and will have smoke resistive construction between the suites and the rest of the building to create a separate smoke compartment. After discussion, Commissioner Hawkins moved to approve with the second by Commissioner Cundiff. It was voted upon and carried.

- (33) 08-07-23(b) Vance & Hines II, Brownsburg

Christina Collester, RTM Consultants, spoke as proponent. The request is to omit fire department access lanes on all sides of the building. The north side, due to the building location, will be accessible from the adjacent property's parking lot. After discussion, Commissioner Ridley moved to approve with the second by Commissioner Jones. It was voted upon and carried.

5. **Breaking and reconvening.** Chairman Hannum recessed the Commission at 10:24 am. He then reconvened the meeting, calling it back to order at 10:39 am.

- (34) 08-07-24(a)(b) Holy Cross Lutheran Church and School, Ft. Wayne

Ed Rensink, RTM Consultants, spoke as proponent. The request in variance (a) was to allow 2-hour fire barriers in lieu of firewalls in the new entry and classrooms addition due to the existing building. The doors will be upgraded to 90 minute rated doors. After discussion, Commissioner Hawkins moved to approve with the second by Commissioner Cundiff. It was voted upon and carried. Variance (b) was to allow the narthex to omit sprinklers despite being over the allowable area of 7000 square feet. There will not be additional occupant load. After discussion, Commissioner Cundiff moved to approve with the second by Commissioner Ogle. It was voted upon and carried.

- (35) 08-07-25 Zings Restaurant (543 Building), Indianapolis

Charles Hill, Ryan Fireprotection, spoke as proponent. He requested they be allowed to omit the sprinkler system from beneath an outdoor seating area which extends over a sidewalk. Jeff Dean, City of Indianapolis Code Compliance, was not opposed to the variance. He did feel that one was required because of wording used in an exception for the code. Staff had recommended that no variance was required. Commissioner Cundiff moved to approve the variance. The second was made by Commissioner Ogle. It was voted upon and carried.

- (36) 08-07-26(a)(b) Griot's Garage Inc, Plainfield

Christina Collester, RTM Consultants, spoke as proponent. Phillip Knickrehm of the Leo Brown Group assisted. The existing building is used in the manufacture and storage of product the company makes and sells. A new product will increase the amount of combustibles and will include an open-pour step which creates an H occupancy. The request in (a) was to allow the over-area H occupancy portion of the building. A separate storage area for 1B liquids will be created with 2-hour fire barriers and direct exits to the exterior. The building is fully sprinklered and will be modified for the altered hazard. Variance (b) is to omit explosion venting due to site constraints. After a lengthy discussion concerning total amounts of materials and product, Commissioner Cundiff moved to table for more detailed information concerning the quantities of liquids involved and the location of the new storage space. Commissioner Ridley made the second. It was voted upon and carried.

- (37) 08-07-28 Indiana Live Casino, Shelbyville

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The variance had been called out with questions concerning which portions of the second floor would be fireproofed. After discussion, Commissioner Christoffersen moved to approve. It was seconded by Commissioner Cundiff, voted upon and carried.

- (38) 08-07-29 Crosspointe, Indianapolis

Christina Collester, RTM Consultants, spoke as proponent. A church with a school is moving into an existing building. A two-hour wall will separate the building into an A2/A3 occupancy and an E occupancy with 1-hour corridors and upgraded strobes on the side of the building used for educational purposes. Bonnie Robison, Plan Review, thought the use of the building would constitute a change of use for the entire building and would therefore be reviewed under the new code. After discussion, Commissioner Cundiff moved to approve with the condition that amended plans will be filed within thirty days. Commissioner Hawkins made the second. It was voted upon and carried with one nay vote.

- (39) 08-07- 30 Sheridan High School, Sheridan

Ed Rensink, RTM Consultants, spoke as proponent. The request is for a temporary means of egress during construction of the high school and middle school. The project should be completed by July, 2009. After discussion, Commissioner Ridley moved to approve. The second was made by Commissioner Corey. It was voted upon and carried.

- (40) 08-07-33 Mt. Carmel Baptist Church, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The unlimited area building, Type IIB construction, has a portion of the sanctuary floor below grade exceeding the 21 inches allowed by code but not more than 30 inches. The area involved has access to exterior exits without using stairs, and all exterior exits

are at grade level. After discussion, Commissioner Cundiff moved to approve. Commissioner Ogle made the second. It was voted upon and carried.

- (41) 08-07-37(a)(b) Indianapolis Athletic Club Condominiums Unit 101, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Variance (a) was to allow wood floor structures and laminated wood beam floor supports for the first floor lobby space in a building of Type IA construction. Mineral wool will be used to fill the cavities in the floor construction of the loft in the unit to omit sprinklering the cavities. Variance (b) was to allow a stair of wood construction in the Type IA building. After discussion, Commissioner Hawkins moved to approve both with the second by Commissioner Cundiff. It was voted upon and carried.

- (42) 08-07-38 Lutheran Child & Family Services, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. An addition to the existing, sprinklered building will not be separated, but will have an electrical service installed which will not run through the existing building. A separate service will be installed, allowed with special permission by the Electrical Code. After discussion, Commissioner Cundiff moved to approve with the condition that a sign warning of two services to the building be posted. The second was made by Commissioner Brenner. It was voted upon and carried.

- (43) 08-07-41 St. Elizabeth Hospital East B Building, Lafayette

Doug Trent, RTM Consultants, spoke as proponent. Building B had been granted a variance previously to attach to the main building with smoke barrier walls. A construction type equivalent to the existing building will be used. A legal property line runs three feet from the medical office building, but because of different ownership of the buildings, an easement will be required to allow windows in the wall facing the existing building. After discussion, Commissioner Ridley moved to approve with the second by Commissioner Cundiff. It was voted upon and carried.

- (44) 08-07-43(a)(c) Convention Center Connector, Indianapolis

Christina Colleston, RTM Consultants, spoke as proponent. A connector pedestrian walkway between the Lucas Oil stadium and the Convention Center will be constructed to handle the change in grade between the buildings. Doors of the pedestrian walkway will use hold-opens at the convention center openings with a water curtain. Variance (a) is a request to use a small portion of the pedestrian walkway for informational displays with an upgrade to ordinary hazard sprinklers. After discussion, Commissioner Cundiff moved to approve. The second was made by Commissioner Ridley. It was voted upon and carried. Variance (c) was to omit smoke and heat vents in the walkway since it operates as a corridor. After discussion, Commissioner Ogle moved to approve with the second by Commissioner Cundiff. It was voted upon and carried.

- (45) 08-07-44 Children's Museum of Indianapolis New Intermodal Facility, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the project to be reviewed to the 2003 codes. The project was filed just a few days after the new codes went into effect, though no life safety issues exist which would make a difference in the project if it had been designed to the new code. After discussion, Commissioner Cundiff moved to approve. Commissioner Jones made the second. It was voted upon and carried.

6. **New Business – General.**

Discussion and Possible Commission Action

Shipshewana Water Park
Administrative Cause No. 08-09
Order – LaGrange County Building Department
Nonfinal Order of Dismissal

Indy Self Storage
Administrative Cause No. 06-15
Order – Warren Township Fire Department
Nonfinal Order of Dismissal

Commissioner Jones moved to accept the Nonfinal Orders of Dismissal. Commissioner Corey made the second. It was voted upon and carried.

Central Middle School
Administrative Cause No. 08-17
Remanded from Administrative law Judge at June Meeting
Discussion and Possible Action on Variance 08-03-6

Commissioner Cundiff moved to grant Variance 08-03-6 and dismiss the issue. Commissioner Ogle made the second. It was voted upon and carried.

Discussion and Commission Action On Petitions For Review (All are timely filed unless otherwise noted.)

Indiana Builder's Association
Greencastle Ordinance 2008-4

Wabash College TKE Fraternity
Order – Division of Elevator Safety

Windsor Village Family Center Project No. 323583
Order – City of Indianapolis

Active Day Medical Adult Day Care, Yorktown
Order – Fire and Building Code Enforcement

Muncie Liquor Stores, Inc.
Order – Muncie Fire Department

Miller's Merry Manor, Marion
Order – Fire and Building Code Enforcement

Lutheran Child & Family Services
Denial of Variance 08-06-10(d)

Superior Body Works
Order – Goshen Fire Department

Commissioner Cundiff moved to approve the timely filed petitions for review. Commissioner Corey made the second. It was voted upon and carried.

Big Boom Fireworks, Scottsburg Store
Denial of Application for Certificate of Compliance

Commissioner Cundiff moved to deny the petition for review which had not been timely filed. Commissioner Ogle made the second. It was voted upon and carried.

7. **Discussion of Proposed Amendments to Residential Code.**

Marlys Pedtke, Indiana Builder's Association, presented the Commission with a draft of a proposed rule and asked that they approve the start of the promulgation proceedings. Commissioner Christoffersen moved to proceed with the process. Commissioner Ogle made the second. It was voted upon and carried.

8. **Building and Fire Code Changes.**

Mara Snyder, Director, Code and Legal Services, provided the members of the Commission with a listing of changes to the new Building and Fire Codes which can be done as agency corrections and will be in effect forty-five days from the date filed with Legislative Services.

9. **Comments.**

Mara Snyder, Director, Code and Legal Services, advised the members of the Commission that Dearborne County

inspections are being looked into as to possible corrections. She noted that both Fire and Building Code Enforcement and the Code and Legal Services Sections are working together to help the citizens affected.

10. **Adjourn.**

Chairman Hannum called for any further business. There being none, he adjourned the meeting at 12:25p.m.

APPROVED

David Hannum, Chairman